

**AGENDA FOR THE  
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**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, JANUARY 14, 2002 AT 2:00 P.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS - 12TH FLOOR  
202 "C" STREET  
SAN DIEGO, CA 92101**

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ITEM-1:                      ROLL CALL.

ITEM-10:                    INVOCATION.

ITEM-20:                   PLEDGE OF ALLEGIANCE.

**SPECIAL ORDERS OF BUSINESS**

ITEM-30:    Office of the Sheriff Day.

**COUNCILMEMBER WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-633 Cor. Copy)

Proclaiming January 14, 2002 to be "Office of the Sheriff Day" in San Diego.

**REQUESTS FOR CONTINUANCE**

The Council will now consider requests to continue specific items.

**CONSENT ITEMS**

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (\*).

**ORDINANCE TO BE INTRODUCED:**

Item 50.

ORDINANCE INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION:

Item 51.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114,  
115, 116.

ADOPTION AGENDA, CONSENT ITEMS  
ORDINANCES TO BE INTRODUCED:

\* ITEM-50: Revisions to the Ordinance Forming the Small Business Advisory Board.

(See Committee Consultant Analysis PS&NS 2001-05; City Clerk's 11/6/2001  
memo; Recommended Changes to Small Business Advisory Board Ordinance;  
and Small Business Advisory Board Presentation.)

**TODAY'S ACTION IS:**

Introduce the following ordinance:

(O-2002-5 2<sup>nd</sup> Cor. Copy)

Introduction of an Ordinance amending Chapter 2, Article 6, of the San Diego  
Municipal Code by amending Section 26.06 relating to Small Business Advisory  
Board.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S  
RECOMMENDATION:**

On 11/21/2001, RULES voted 4-0 to approve Item A listed in Item 52 of the November 6, 2001,  
Council Docket noting: (1) As a matter of procedure, proposed modifications of City Boards and  
Commissions should be reviewed by the Rules Committee; and (2) Boards and Commissions  
should provide the Mayor's Office with a written list of the types of qualifications needed to fill  
each Board/Commission seat and a list of the members who fulfill those qualifications.  
(Councilmembers Wear, Stevens, Madaffer and Mayor Murphy voted yea. Councilmember  
Atkins not present).

**ADOPTION AGENDA, CONSENT ITEMS**

**ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:**

\* ITEM-51: Six actions related to Gas and Electric Franchise Agreements.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinances in Subitems A, B, C, E and F which were introduced on 12/11/2001; introduce and adopt the ordinance in Subitem D (Council voted 6-3. Councilmembers Stevens, Maienschein and Inzunza voted nay):

Subitem-A: (O-2002-49)

Amending the electric franchise with SDG&E to:

- (a) Continue with the current franchise fee consisting 3% of gross receipts
- (b) Implement an undergrounding surcharge of 4.5% of gross receipts minus any rate embedded underground funds
- (c) Change the definition of gross receipts to include paying the franchise fee on revenue collected on all surcharges

**NOTE:** 6 votes required pursuant to Section 103 of the City Charter.

Subitem-B: (O-2002-50)

Amending the gas franchise with SDG&E to increase the Gas Franchise Fee Surcharge from 1.00 percent to 1.03 percent.

**NOTE:** 6 votes required pursuant to Section 103 of the City Charter.

Subitem-C: (O-2002-24)

Amending Chapter 6, Article 1, Division 5 of the San Diego Municipal Code, by amending Sections 61.0501, 61.0502, 61.0503, 61.0504, 61.0505, 61.0507, and 61.0508; renumbering and amending Sections 61.0509, 61.0510, 61.0511, 61.0512, 61.0513, 61.0514, 61.0515, 61.0516, 61.0517; and adding Sections 61.0509 and 61.0510; and amending Chapter 6, Article 1, Division 21 by renumbering Sections 61.2103 and 61.2106.1, all relating to Underground Utility Procedures.

Subitem-D: (O-2002-65)

Introduction and adoption of an ordinance amending the FY 2001-02 Annual Appropriation Ordinance, Document No. O-18964 to increase the General Fund 100, Engineering & Capital Projects, Department 547, appropriation by the amount of \$525,000 to be transferred from Fund No. 30100, Undergrounding

Surcharge Fund, and the expenditure of the amount, provided a certificate is issued demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Amending the personnel authorization of Engineering & Capital Projects, Department 547, in the General Fund 100 by adding the following Classified positions, provided the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for such positions are, or will be, on file in the City Treasury:

2.0 Associate Civil Engineer  
1.0 Assistant Civil Engineer  
2.0 Principal Engineering Aide  
1.0 Senior Drafter  
1.0 Public Information Officer  
1.0 Senior Management Analyst  
1.0 Administrative Aide II

Authorizing the City Auditor and Comptroller to increase the General Fund 100, Engineering & Capital Projects, Department 547, appropriation by the amount of \$210,000 to be transferred from Fund No. 30100, Undergrounding Surcharge Fund, provided the City Auditor and Comptroller furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

**NOTE:** The first public hearing was held on December 11, 2001. Today's action is the second public hearing for the introduction and adoption of the ordinance.

Subitem-E: (O-2002-28)

Amending the gas franchise with SDG&E to extend the negotiation period to January, 2003 for any potential delays in approval by the CPUC.

**NOTE:** 6 votes required pursuant to Section 103 of the City Charter.

Subitem-F: (O-2002-29)

Amending the electric franchise with SDG&E to extend the negotiation period to January, 2003 for any potential delays in approval by the CPUC.

**NOTE:** 6 votes required pursuant to Section 103 of the City Charter.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-100: Inviting Bids for Water Group 656.

(See Frank Belock Jr.'s 9/12/2001 memo. Ocean Beach and College Area  
Community Areas. Districts-2 and 7.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2002-836)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Water Group 656 on Work Order No. 183261;

Authorizing the City Manager to establish contract funding phases and to execute a contract with the lowest responsible bidder;

Authorizing the use of City Forces in an amount not to exceed \$298,022 from Water Fund 41500, CIP-73-846.4, Water Group 656;

Authorizing the expenditure of an amount not to exceed \$2,034,507 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02063C)

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 9/19/2001, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

**CITY MANAGER SUPPORTING INFORMATION:**

Water Group 656 is part of the City of San Diego's continuing Annual Water Main Replacement Program. This project is located in the Ocean Beach and College areas. This project includes the replacement of approximately 11,710 linear feet of eight and twelve inch old and deteriorated cast iron water mains. It includes re-paving and slurry sealing of the impacted streets. The streets affected by construction operations within this project are: Adams Avenue, Santa Barbara

Street, Coronado Avenue, and Orchard Avenue. Residents will be notified by mail at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again ten (10) days before construction begins by the Contractor through hand distribution of notices.

**FISCAL IMPACT:**

The total estimated cost of this project is estimated at \$2,034,507 which is available in Fiscal Year 2002 Water Fund 41500, CIP-73-083.0, Annual Allocation for Water Main Replacement. Of this amount, \$435,000 is for Engineering and Inspection, \$1,239,510 for construction, \$298,022 for City Forces, and \$61,975 for Contingencies and related costs.

Loveland/Belock/HR

WWF-02-548.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-101: Paradise Hills Revitalization Project Street Dedication.

(Skyline-Paradise Hills Planning Area. District-4.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-860)

Accepting fifteen grant deeds (relating to APN-587-191-11, APN-587-191-12, APN-587-191-13, APN-587-191-14, APN-587-191-15, APN-587-191-16, APN-587-191-17, APN-587-191-18, APN-587-191-19, APN-587-192-01, APN-587-192-04, APN-587-192-05, APN-587-192-06, APN-587-192-29 and APN-587-192-30), executed in favor of the City of San Diego, granting to the City at no cost a nineteen-foot easement for public street improvement for Reo Drive as part of the Paradise Hills Revitalization Project;

Dedicating and naming the property conveyed Reo Drive.

**CITY MANAGER SUPPORTING INFORMATION:**

The Paradise Hills Revitalization Project will be funded through CIP-39-233.0. This CIP account includes the following funds: CDBG: \$17,108; State Grant: \$284,000; and Transnet-older communities: \$55,375. The funding will be used for streetscape improvements along Reo Drive. Based on input from property owners and area merchants, proposed streetscape



improvements will include new 14 foot-wide sidewalks, diagonal parking, pedestrian-oriented street lighting, enhanced landscaping and shade producing street trees along Reo Drive.

In order to expend \$356,483 from CIP-39-233.0 on the proposed improvements, a 19-foot dedicated easement is needed along the front of all properties facing Reo Drive. The requirement for easement dedications was discussed with property owners in attendance at numerous Reo Drive Merchants Association meetings over the past year. After reviewing the deed easement language, all affected property owners along Reo Drive approved the documents. All fifteen notarized deed easements are on record with the Real Estate Assets Department.

### **FISCAL IMPACT:**

The affected properties are being acquired at no cost. In accordance with Resolution Number 293581, street improvements will be funded out of CIP-39-233.0.

Herring/Griffith/BLM

### **ADOPTION AGENDA, CONSENT ITEMS RESOLUTIONS:**

\* ITEM-102: Appointments to the Citizens Equal Opportunity Commission.

(See memorandum from Mayor Murphy dated 1/2/2002 with resumes attached.)

### **MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-894)

Council confirmation of the following appointments by the Mayor to serve as members of the Citizens Equal Opportunity Commission, for two-year terms as indicated, and in the categories as specified:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Dr. Sarah M. Young (replacing Randall B. Hamud, whose term has expired)	City at Large	January 1, 2004
Dr. Daniel R. Salas (replacing John Rivera, whose term has expired)	Mexican-American	January 1, 2003
Prof. Andrew T. Shogren (replacing Arlene M. Damasco,	Asian	January 1, 2004

whose term has expired)

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-103: Appointment to the San Diego County Water Authority Board of Directors.

(See memorandum from Mayor Murphy dated November 21, 2001 with resume attached.)

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-765)

Council confirmation of the appointment by the Mayor of Javier Saunders to serve as a member of the San Diego County Water Authority Board of Directors, for a term ending March 5, 2003, replacing John Fowler, who has resigned.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-104: Mesa Verde Neighborhood Park Tot Lot Improvements.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-873)

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2002 Capital Improvements Program Budget by an amount not to exceed \$51,000 for CIP-29-414.0, Mesa Verde Neighborhood Park Tot Lot Improvements;

Authorizing the appropriation of an amount not to exceed \$51,000 from Mira Mesa FBA Fund No. 79006 to CIP-29-414.0, Mesa Verde Neighborhood Park Tot Lot Improvements;

Authorizing the expenditure of an amount not to exceed \$228,000 from Mesa Verde Neighborhood Park Tot Lot Improvements, CIP-29-414.0, for the purpose of completing the construction documents;

Authorizing the City Auditor and Comptroller, upon advise from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed Mesa Verde Neighborhood Park Tot Lot Improvements project is located at 8350 Gold Coast Drive, in the Mira Mesa Community area. The project will provide for upgrade and renovation of the existing Tot Lot by adding new play equipment and ADA accessibility to the Tot Lot.

The additional funds are being requested to complete the project and to add an additional 2,000 square feet of ADA accessible sidewalk from the Tot Lot to the adjacent street at the request of the community and the Park and Recreation Department.

**FISCAL IMPACT:**

The estimated total project cost is \$228,000 of which \$177,000 has been previously authorized. The additional funds requested in the amount of \$51,000 are available in Mira Mesa FBA No. 79006. With this action, the requested funding will be made available in CIP-29-414.0.

Loveland/Belock/AO

Aud. Cert. 2200639.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-105: Sorrento Valley Traffic Signal Interconnect System.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-825 Cor. Copy)

Authorizing the City Manager to accept Program Supplement No. 11-5004 to Local Agency-State Agreement for Federal Aid Project No. CMLG-5004 (126) for the amount of \$60,700 in Congestion Mitigation and Air Quality Funds, Fund No. 38694;

Authorizing the City Manager to apply for an additional Program Supplement and accept a total of \$349,300 in Congestion Mitigation and Air Quality Funds, Fund No. 38694;

Authorizing the City Auditor to amend the Fiscal Year 2002 Capital Improvement Program budget by adding the project, CIP-62-325.0, Sorrento Valley Traffic Signal Interconnect System;

Authorizing the appropriation and expenditure of an amount not to exceed \$60,700 from CIP-62-325.0, Fund 38694 for funding the preliminary engineering of the project;

Authorizing the appropriation and expenditure of an amount not to exceed \$349,300 from CIP-62-325.0, Fund 38694 for funding the construction of the project, contingent upon receipt of a fully executed Program Supplement;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

This project will install traffic signal interconnect on the following streets:

- 1) Sorrento Valley Boulevard between Juniper Park Lane and Camino Santa Fe and between Vista Sorrento Pkwy and Sorrento Valley Road.
- 2) Lusk Boulevard between Vista Sorrento Parkway, and Barnes Canyon Road.
- 3) Vista Sorrento Pkwy between Sorrento Valley Boulevard and Directors Place.
- 4) Camino Santa Fe between Sorrento Valley Boulevard and Top Gun Street.
- 5) Mira Mesa Boulevard between Scranton Road and Lusk Boulevard.
- 6) Pacific Heights Boulevard between Carrol Canyon Road and Cornerstone Court.
- 7) Scranton Road between Morehouse Drive and Mira Mesa Boulevard.

The estimated cost of the project is \$410,000 of which \$60,700 is for design and \$349,300 is for construction.

**FISCAL IMPACT:**

The total cost of this project is \$410,000 which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PB

Aud. Cert. 2200631.

**ADOPTION AGENDA, CONSENT ITEMS**  
**RESOLUTIONS:**

\* ITEM-106: Funding for Rose Creek Bikeway.

(Mission Bay Park and Pacific Beach Community Area. Districts-2 and 6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-880)

Authorizing the City Manager or his representative to make an application to the State of California for a \$250,000 grant in Environmental Enhancement and Mitigation Program Funds for the Rose Creek Bikeway;

Authorizing the City Manager to take all necessary actions to secure the grant funding from the State of California;

Authorizing the Auditor and Comptroller to establish a special interest-bearing fund for the grant;

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2002 Capital Improvements Program Budget by \$250,000 in CIP-58-147.0, Rose Creek Bikeway in Environmental Enhancement and Mitigation Funds, contingent upon receipt of a fully executed grant agreement;

Authorizing the City Auditor and Comptroller to appropriate and expend \$250,000 in CIP-58-147.0, Rose Creek Bikeway, contingent upon receipt of a fully executed grant agreement.

**CITY MANAGER SUPPORTING INFORMATION:**

This action will authorize the City Manager or his representative to apply for a \$250,000 grant in State of California Environmental Enhancement and Mitigation Program Funds for the Rose Creek Bikeway (CIP-58-147.0) and to take all necessary actions to secure the grant funding from the State. Furthermore, it will authorize the Auditor and Comptroller to establish a special interest-bearing fund for the grant; to increase the Fiscal Year 2002 Capital Improvements Program Budget by \$250,000 in CIP-58-147.0 (Rose Creek Bikeway) in Environmental Enhancement and Mitigation Funds, contingent upon receipt of a fully executed grant agreement; and to appropriate and expend \$250,000 in CIP-58-147.0 (Rose Creek Bikeway) contingent upon receipt of a fully executed grant agreement.

The Rose Creek Bikeway consists of a bicycle bridge across the Rose Creek Inlet and a paved bicycle path between the westerly end of the new bridge and Pacific Beach Drive. This bike path will provide a direct connection between Pacific Beach and Mission Bay Park for bicyclists and

pedestrians. The Rose Creek Bikeway has \$1,000,000 in TransNet Bikeway Funds already secured for its design and construction. However, the project is in need of additional funding to be completed. In our efforts to obtain some of the additional funding needed for the Rose Creek Bikeway, we are submitting this application to the State.

**FISCAL IMPACT:**

Application to the State for \$250,000 in Environmental Enhancement and Mitigation Program Funds. A total of \$6,000,000 is available.

Loveland/Gonzalez/AH

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-107: Funding for Harbor Drive/Railroad Crossing Bikeway Improvements.

(Barrio Logan Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-863)

Authorizing the City Manager to apply for and accept a total of \$42,500 in TransNet (Proposition A) Bikeway Funds, Fund No. 30301 from SANDAG for the design and construction of Harbor Drive/Railroad Crossing Bikeway Improvements;

Authorizing the City Auditor and Comptroller to increase the Fiscal Year 2002 Capital Improvement Program budget by \$42,500 in Fund 30301 TransNet (Proposition A), CIP-58-110.0, Harbor Drive/Railroad Crossing Bikeway Improvements;

Authorizing the appropriation and expenditure of \$42,500 in CIP-58-110.0 for Harbor Drive/Railroad Crossing Bikeway Improvements;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

This action will authorize the City Manager to apply for and accept a total of \$42,500 in TransNet (Proposition A) Bikeway Funds from SANDAG for the design and construction of

Harbor Drive/Railroad Crossing Bikeway Improvements (CIP-58-110.0). Furthermore, it will authorize the appropriation and expenditure of \$42,500 in CIP-58-110.0 for the design and construction of Harbor Drive/Railroad Crossing Bikeway Improvements.

The existing Burlington Northern Santa Fe Railroad tracks currently cross Harbor Drive, west of 28th Street, at an extremely acute angle. The geometry of this crossing causes difficulties for bicyclists traversing the existing bike lanes along Harbor Drive and crossing the railroad tracks at this location. The Harbor Drive/Railroad Crossing Bikeway Improvements project will modify the existing bike lanes along Harbor Drive at the railroad crossing in such a way to allow bicyclists to cross the railroad tracks at less acute of an angle.

**FISCAL IMPACT:**

\$42,500 is available from TransNet Bikeway Funds (Proposition A), Fund No. 30301.

Loveland/Gonzalez/AH

Aud. Cert. 2200645.

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

\* ITEM-108: Funding for the San Diego River Bike Path in Mission Valley.

(Mission Valley Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-736)

Authorizing the City Manager to make application to the State of California Department of Parks and Recreation, for a \$394,000 grant in State Parks and Recreation General Fund for the San Diego River Bike Path;

Authorizing the City Manager to take all necessary actions to secure the grant funding from the State Parks and Recreation Department;

Authorizing the City Manager to accept, appropriate, and expend the funds if the grant is secured;

Authorizing the Auditor and Comptroller to establish a special interest-bearing fund for the grant;

Authorizing the addition of CIP-58-163.0 (San Diego River Bike Path in Mission

Valley) to the FY2002 Capital Improvement Program;

Authorizing the appropriation and expenditure of \$394,000 from the State Parks and Recreation General Fund grant and the transfer of these funds to CIP-58-163.0 (San Diego River Bike Path in Mission Valley), contingent upon receipt of a fully executed grant contract from the State.

### **CITY MANAGER SUPPORTING INFORMATION:**

This action will authorize the City Manager or his representative to apply for and accept a \$394,000 grant in State of California Parks and Recreation General Fund for the San Diego River Bike Path; to add CIP-58-163.0 (San Diego River Bike Path in Mission Valley) to the FY 2002 Capital Improvement Program; and to appropriate and expend a total of \$394,000 from the State Parks and Recreation General Fund grant and the transfer of these funds into CIP-58-163.0 for the San Diego River Bike Path in Mission Valley. Furthermore, it will authorize the Auditor and Comptroller to establish a special interest-bearing fund for this grant.

The San Diego River Bike Path in Mission Valley is a Class I bike path, generally along the San Diego River. This is a part of the larger San Diego River Bike Path proposed to connect the beaches in the west to Mission Trails Regional Park in the east. Several portions of this bike path in Mission Valley have been built. However, some gaps in this bike path system exist. The money obtained under the State Park and Recreation General Fund Grant will be used in the design and construction of some of these missing segments to close the gaps in this system.

The Ocean Beach/Hotel Circle North segment of the San Diego River Bike Path is planned to receive \$150,000 from this grant to supplement an existing \$150,000 Local Transportation Fund grant for the design phase of this project. The Ocean Beach/Hotel Circle North Bike Path will connect the existing Ocean Beach Bike Path, which terminates at Pacific Highway, to Hotel Circle North along the south side of the San Diego River.

Other possible projects to receive funding from this grant include:

Camino De La Reina Bike Path: this bikeway will connect the existing segment of the San Diego River Bike Path traversing the south side of the River and terminating just east of the SR-163 Freeway to Camino De La Reina. A total of \$184,080 in TransNet Bikeway(Proposition A) and private funds is currently available for this project. Design is nearly complete. Additional funding may be needed for the construction of this bike path.

Fashion Valley Bike Path: this bikeway will begin at the terminus of the existing Friars Road Bike Path west of Fashion Valley Road and proceed southerly to join a proposed east-west bike path to Fashion Valley Road by a developer in the area. Estimated cost for the design and construction of this bikeway is \$141,000. No other sources of funding have been identified for this bike path.

### **FISCAL IMPACT:**



Adding and expending a total of \$394,000 in State Park and Recreation General Fund.

Loveland/Gonzalez/AH

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

\* ITEM-109: Team 11 and Southeastern Special Enforcement Team Day.

**DEPUTY MAYOR STEVENS' RECOMMENDATION:**

Adopt the following resolution:

(R-2002-859)

Commending Team 11 and the Southeastern Special Enforcement Team for their contributions to the City of San Diego;

Proclaiming December 18, 2001 to be "Team 11 and Southeastern Special Enforcement Team Day" in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

\* ITEM-110: Excusing Deputy Mayor Stevens from the Land Use and Housing Committee Meeting of November 28, 2001.

**DEPUTY MAYOR STEVENS' RECOMMENDATION:**

Adopt the following resolution:

(R-2002-815)

Excusing Deputy Mayor George Stevens from attending the Committee on Land Use and Housing meeting of November 28, 2001, due to illness.

**ADOPTION AGENDA, CONSENT ITEMS**  
**RESOLUTIONS:**

\* ITEM-111: Angle Parking on F Street.

(Greater Golden Hill Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-830)

Approving diagonal parking on the north side of F Street between 24<sup>th</sup> Street and 25<sup>th</sup> Street, pursuant to the San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

**CITY MANAGER SUPPORTING INFORMATION:**

This action permits angle parking on the north side of F Street (between 24th Street and 25th Street). Currently, there is parallel parking in this segment. This action will provide 4 additional parking spaces. Council approval is required according to Municipal Code Section 86.03.

A petition representing 8 of 9 affected property owners (88%) was submitted in support of this action.

The Greater Golden Hill Planning Committee supports this action.

**FISCAL IMPACT:**

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Gonzalez/AH

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

\* ITEM-112: Time Limit Parking on 38<sup>th</sup> Street.

(Normal Heights Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-829)

Establishing a two-hour unmetered time limit parking zone on the west side of 38<sup>th</sup> Street between El Cajon Boulevard and the alley to the north to be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted;

Authorizing the installation of the necessary signs and markings; declaring that the regulations imposed shall become effective upon the installation of the signs.

**CITY MANAGER SUPPORTING INFORMATION:**

This action enables a two-hour unmetered time limit parking zone effective between 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of 38<sup>th</sup> Street between El Cajon Boulevard and the alley to the north. Council approval is required according to Municipal Code Section 86.04. Recent studies indicate that this segment of 38<sup>th</sup> Street is heavily impacted by long term parking. The average parking occupancy is 64.0%, the average parking duration is 4.1 hours, and the average turnover is 1.6 parkers per space. This satisfies the criteria established in Council Policy 200-04 for the installation of time limit parking. A petition representing 2 of 2 affected properties (100%) was submitted in support of this action. The Normal Heights Community Planning Committee supports this action.

**FISCAL IMPACT:**

None.

Loveland/Gonzalez/AH

**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

\* ITEM-113: Office Space Lease Amendment - Police Department.

(Uptown Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-872)

Authorizing the City Manager to execute the Balboa Park Plaza First Amendment to Lease Agreement with C & S Investments Trust for office space for the Police Department located at 3033 Fifth Avenue, Suite 205, at an initial annual rent of \$32,624.97, commencing October 9, 2001, and terminating October 31, 2002.

**CITY MANAGER SUPPORTING INFORMATION:**

The Police Department has been leasing space at 3033 Fifth Avenue, Suite 205 since October 9, 1998 as general office use by the Event Development and Management Unit (EDMU - formerly IACP). EDMU is seeking to relocate within the next year to a larger space and more centrally located site with the Special Services Division. Recently, the landlord has agreed to extend their tenancy for one year.

The Police Department is proposing to renew their lease under the following basic terms:

TERM - Approximately one (1) year. Commencing October 9, 2001, terminating October 31, 2002.

RENT - \$1.90 per square foot or \$3,732 per month. Rental rate is at market value as compared to similar buildings in the Uptown area.

USE - General office usage for the Police Department.

SIZE - 1,964 square feet.

**FISCAL IMPACT:**

\$32,624.97 will be paid from the Police Department's Fund 100 for FY 2002.

Herring/Griffith/DCM

Aud. Cert. 2200662.

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-114: Parking Lot Lease - MWWD.

(Kearny Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-862)

Authorizing the City Manager to execute a two-year lease agreement with MIC Limited for approximately 30,300 square feet of an existing parking lot located at 5515 Kearny Villa Road as interim parking for additional trucks and equipment required for the Metropolitan Wastewater Department's Sewer Main Cleaning Program;

Authorizing the expenditure of an amount not to exceed \$55,000 for FY2002, \$61,800 for FY2003, and \$30,900 for FY2004, for a total amount not to exceed \$147,700 from Fund 41506, Dept. 773, Org. 220, Object Account 4682, Job Order 2231, subject to confirmation by the Auditor and Comptroller that the funds are available.

**CITY MANAGER SUPPORTING INFORMATION:**

In September 2001, City Council approved funding for the Metropolitan Wastewater Department, Wastewater Collection Division to acquire additional staff and equipment in order to embark on a major sewer main cleaning program over the next two years.

This action provides funding and authorization for the City Manager to enter into a two-year lease for approximately 30,300 sq. ft. of an existing parking lot located at 5515 Kearny Villa Road for the purpose of providing interim parking for additional vehicles and equipment necessary for the proposed sewer main cleaning program. The leased area will be enclosed by a fence to protect the vehicles and equipment from possible theft or vandalism and for safety concerns.

**TERM** - Two years commencing on January 1, 2002 and ending on December 31, 2003.

**RENT** - \$5,150 per month. The rent is comparable to other improved parking lot facilities in the market area.

**OPTION TO EXTEND** - The City has the option to extend the lease for one additional year at a rate of \$5,500 per month.

**USE** - Parking of Vehicles and Equipment.

**SIZE** - Approximately 30,300 sq. ft. of improved parking lot facilities.

**FISCAL IMPACT:**

Funding for the FY2002 portion of the lease agreement is available within the MWWD Wastewater Collection Division FY2002 Budget. The funds will be appropriated as follows: FY2002: \$55,000; FY2003: \$61,800; FY2004: \$30,900.

Herring/Griffith/SAC

Aud. Cert. 2200664.

**ADOPTION AGENDA, CONSENT ITEMS**  
**RESOLUTIONS:**

\* ITEM-115: Water Sale and Purchase Agreement between Western Water Company and City of San Diego.

(See Larry Gardner's 9/13/2001 memo.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2002-824)

Authorizing the City Manager to execute a Water Sale and Purchase Agreement with Western Water Company, for the transfer of 6,641 acre-feet of conserved northern California agricultural water.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 9/19/2001, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Fyre, Madaffer and Inzunza voted yea.)

**CITY MANAGER SUPPORTING INFORMATION:**

The purpose of this agreement is to facilitate the transfer of 6,641 acre-feet of water to the City. This transaction involves the transfer of conserved agricultural water from Western Water Company (in partnership with the Sacramento River Settlement Contractors), the Metropolitan Water District of Southern California (MWD), the San Diego County Water Authority (CWA), and the City. This transaction is a "short-term" "one-time" transfer of water, completed on a "space available" basis (i.e., transported using available capacity in water transmission facilities), and is expected to occur in January and February, 2002. Upon release orders from the Settlement Contractors to the U.S. Bureau of Reclamation, the water will be released from Shasta Dam, sent via the Sacramento River, to the Sacramento-Bay Delta where the water will be diverted by the California Department of Water Resources and transported through the State Water Project (SWP) California Aqueduct for delivery to MWD. MWD will deliver the water to the CWA where upon CWA will deliver the water to the City at Miramar Lake, adjacent to the Water Filtration Plant/Reservoir. This transfer is advantageous for the following reasons:

**Price.** The City currently receives raw water delivered by the CWA for a price of \$439/AF. This transaction will result in delivery of 6,641 acre-feet of raw water for approximately \$424/AF, or a savings of about \$15/AF, for a total estimated savings of about \$99,600 based on total delivery of 6,641 acre-feet.

**Diversification of Supply Portfolio.** As described in the City's Strategic Plan for Water Supply, the City is committed to long-term supply and source diversification as a means of managing its customers reliability risk. Practical water transfers must be an available option in the City's resource mix along with conservation, re-cycling, groundwater, imports, and prudent management of its local supply and storage. If transfers are to become a practical alternative source of future supply and reliability, the City needs to develop experience with transfers and must help identify the practical/physical, institutional, environmental, and financial impediments to viable transfers. Thus, the proposed transfer should be viewed as a low-risk opportunity to test the practicality of transfers in order to improve overall supply diversification/reliability.

**Consistency with the California 4.4 Plan.** Southern California has been charged with the difficult task of reducing its over dependence on imported Colorado River supplies from its current use of 5.2 million acre-feet/yr to 4.4 million acre-feet/yr within the next 15 years. This proposed transfer of conserved northern California agricultural water in particular, and future water transfers in general, are consistent with this regional mandate and a necessary element of regional supply planning if southern California is to be successful in the implementation of the 4.4 Plan.

**FISCAL IMPACT:**

There is no adverse fiscal impact with this action. However, this action does represent a potential savings benefit to the City of approximately \$99,600 when compared to the normal delivered raw water rate that would otherwise be paid by the City in the absence of the proposed water transfer.

Loveland/Gardner/MAS

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-116: Alvarado Trunk Sewer (Phase III) - Consultant Agreement.

(See Frank Belock Jr.'s 10/9/2001 memo. Navajo Community Area. District-7.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2002-849)

Authorizing the City Manager to execute an agreement with Pountney &

Associates Inc., at a cost not to exceed \$274,909, to perform consultant services for Alvarado Trunk Sewer (Phase III);

Authorizing the expenditure of an amount not to exceed \$274,909 from Sewer Fund 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 10/17/2001, NR&C voted 4-0 to approve. (Councilmembers Peters, Frye, Madaffer and Inzunza voted yea. Councilmember Wear not present.)

**CITY MANAGER SUPPORTING INFORMATION:**

The Alvarado Trunk Sewer (Phase III) is located in the Navajo Community. The existing alignment is located in the canyon. Due to future capacity problems, a potential major spill, and access problems, the existing alignment for Alvarado Trunk Sewer (Phase III) has become a concern. The purpose of this project is to relocate the trunk sewer away from the canyon into the City's right-of-ways and easements, and upgrade the sewer collection system to current City design standards. The new alignment is approximately 2,512 linear feet long.

A list of seven (7) design consultants was provided from the City's Consultant Services Coordinator. In conformance with Council Policy 300-7, seven (7) firms were interviewed. Pountney & Associates, Inc., was selected as the best qualified firm to provide the design consultant services. The subconsultants are Merkel & Associates at 6%; Bennett/Staheli at 6%; Katz, Okitsu & Associates at 6% (DBE); Teshima at 6% (DBE, MBE); Group Delta (DBE) and Simon Wong at 6% (DBE); Brian F. Smith & Associates at 6%; and San Diego Natural History Museum at 6%.

**FISCAL IMPACT:**

Total estimated design cost for consultant services is \$274,909. Funding is available in Sewer Fund 41506, CIP-46-194.0, Annual Allocation- Trunk Sewer Rehabilitation. The total estimated cost for this project is \$2,613,000.

Loveland/Belock/HR

Aud. Cert. 2200651.

WWF-02-549.

**ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS**  
**COMMITTEE ON NATURAL RESOURCES, AND CULTURE,**  
**ORDINANCE TO BE INTRODUCED:**

ITEM-150: Energy Efficiency Services for Metro Pump Station No. 2 Engines.

(See Scott Tulloch's 12/3/2001 memo. East of Peninsula Community Area.



District-2.)

**TODAY'S ACTION IS:**

Introduce the following ordinance:

(O-2002-71)

Introduction of an Ordinance authorizing the City Manager to execute a third amendment with Onsite Energy Corporation for professional energy efficiency services at Pump Station No. 2;

Authorizing the expenditure of an amount not to exceed \$91,863 from Fund No. 41509, CIP-41-926.0, Annual Allocation - Pump Stations 1 & 2.

**NOTE:** 6 votes required pursuant to Section 99 of the City Charter.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 12/12/2001, NR&C voted 4-1 to approve. (Councilmembers Peters, Wear, Madaffer and Inzunza voted yea. Councilmember Frye voted nay.)

**CITY MANAGER SUPPORTING INFORMATION:**

In November of 1999 the City Council approved an agreement with Onsite Energy Corporation to implement Phase 1 energy projects at Metro Pump Station 2, the World Trade Center and the Main Library at a cost of \$2,671,824. In Phase 2, energy measures were implemented at the City Administration Building at a cost of \$3,196,670. The proposed amendment will provide for Phase 3. Phase 3A includes the professional services required for the initial design and Phase 3B will be for the completion of the design and the implementation of an energy efficiency measure to the Metro Pump Station 2 engine driven pumps.

This amendment is needed because this project was originally approved to be part of Phase 1 but was delayed to resolve technical and financial issues. The funding planned in Phase 1 for this project was transferred to the Main Library project to perform additional energy measures. Phase 3A is for \$91,863, bringing the contract to a total of \$5,960,357. The future anticipated Phase 3B, utilizing the heat exchanger concept discussed below, is expected to cost \$667,626 bringing the total projected contract cost to \$6,618,022. At this time, approval is requested for Phase 3A only. Pump Station 2 utilizes two natural gas-fueled 2250 horsepower engines to drive two of its eight pumps. These engine driven pumps are used to prevent water surge in the force main if electricity is lost and to save electrical costs. The existing design utilizes raw wastewater from the high pressure force main to cool the engines and returns the wastewater to the zero pressure wet well, wasting energy. The proposed energy conservation system will either utilize the existing wastewater heat exchangers and circulate the wastewater back to the high pressure force main, or provide standard air-cooled radiators to cool these engines. Phase 3A of this project will investigate a total of three cooling system configurations. One option will utilize the existing heat exchangers and two will utilize radiators. Phase 3A will also provide the technical

assistance necessary to obtain any required environmental clearances and other agency approvals. Once Phase 3A is complete, a request for authorization to proceed with Phase 3B of this project will be brought to City Council for approval. Phase 3B will consist of the completion of the selected design and the installation of this energy efficiency measure. This project is expected to receive an SDG&E incentive of \$200,000 and to save \$220,000 per year in energy costs. The project capital costs are expected to be recovered in 2.5 years.

**FISCAL IMPACT:**

The total cost of this action is \$91,863 and funding is available in CIP-41-926.0, Annual Allocation Pump Stations 1 & 2.

Loveland/Tulloch/TRA

Aud. Cert. 2200562.

**ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS**  
**COMMITTEE ON NATURAL RESOURCES, AND CULTURE,**  
**RESOLUTION:**

ITEM-151: Alvarado Water Treatment Plant Construction Management Agreement with CH2M Hill, Inc.

(See Larry Gardner's 10/23/2001 memo. Navajo Community Area. District-7.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2002-827)

Authorizing the City Manager execute a phase funded agreement with CH2M Hill, Inc. to provide construction management services for the Alvarado Water Treatment Plant Upgrade and Expansion - Phase II & Phase IA (Earl Thomas Reservoir Replacement);

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$668,060 from CIP-73-261.3, Alvarado Water Treatment Plant Upgrade & Expansion - Phase II, to CIP-73-261.4, Alvarado Water Treatment Plant Upgrade & Expansion - Phase IA (Earl Thomas Reservoir Replacement);

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$2,660,533 from CIP-73-261.4, Alvarado Water Treatment Plant Upgrade & Expansion - Phase IA (Earl Thomas Reservoir Replacement), and \$8,121,066 from CIP-73-261.3, Alvarado Water Treatment Plant Upgrade & Expansion - Phase II, Water Revenue Fund No. 41500, for the purpose of funding the above

agreement, related in-house engineering and construction administration, and City forces work, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that funds necessary for expenditure will be on deposit with the City Treasurer;

Authorizing the use of City Forces on the Alvarado Water Treatment Plant Upgrade & Expansion - Phase II, in an amount not to exceed \$200,000;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

#### **NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 10/31/2001, NR&C voted 5-0 to approve. (Councilmembers Peters, Wear, Frye, Madaffer and Inzunza voted yea.)

#### **CITY MANAGER SUPPORTING INFORMATION:**

The Alvarado Water Treatment Plant (WTP) Project is currently undergoing Phase I construction to upgrade and expand the existing facility to meet new Federal Drinking Water Standards and comply with State of California's Department of Health Service Compliance Order. The overall improvements for the Alvarado WTP, as defined in the Water Department's Capital Improvements Program and approved by City Council in August of 1997, were structured to occur in three overlapping phases (I, IA, and II) which would begin in 1998 and end in 2006. Specialized expertise in the management of water treatment plant construction is required to ensure that all aspects of the construction are proceeding according to the City's construction contract requirements, while at the same time maintaining plant operations so as to ensure an uninterrupted supply of treated water to over 500,000 city residents. In addition to monitoring construction progress and inspecting construction work for compliance with contract documents, the Construction Manager acts as a conduit between the contractor and the City to help resolve questions regarding contract interpretation and to minimize change orders. CH2M Hill was chosen by the City as the Construction Manager for the Alvarado Water Treatment Plant at the conclusion of the City's standard consultant selection and procurement process with the intent that they would manage all phases of the project. CH2M Hill's familiarity with the Alvarado Water Treatment Plant's extensive physical and operational constraints, as well as their knowledge of the complex inter-relationships which exist between these constraints, is considered vital to the maintenance of uninterrupted plant operations and quality control during construction. This contract provides for the continuation of CH2M Hill's construction management services through the end of Phases IA, and II of the Alvarado Water Treatment Plant Upgrade & Expansion Project. The extensive use of City Forces on this project is necessary due to their unique familiarity with, and ultimate responsibility for, the operation and maintenance requirements of the facilities involved. The affected projects require the continuous involvement of City Forces to minimize and mitigate the number and duration of both potential and planned disruptions to the City's water service.

#### **FISCAL IMPACT:**

The total estimated cost of performing this work is \$10,781,599. Funding is available from the Water Revenue Fund 41500.

Mendes/Gardner/JRP

Aud. Cert. 2200637.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**RESOLUTION:**

ITEM-200: Inviting Bids for the Rubberized Emulsion Aggregate Slurry Coating of Various Streets City Wide Group “S-6.”

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-495)

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Rubberized Emulsion Aggregate Slurry Coating of Various Streets City Wide Group “S-6”;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$3,157,668 from Street Division Operating Fund 10440 for providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K-02050-C)

**CITY MANAGER SUPPORTING INFORMATION:**

This Slurry Seal contract is part of the City's annual street maintenance program. Slurry Seal is a pavement surface treatment applied as part of a comprehensive pavement maintenance program. It is used on streets which are in good condition to protect them from deterioration. The Street Division uses Rubberized Emulsion Aggregate Slurry (REAS). This type of Slurry Seal coating lasts longer, resists damage better from water/rain, and stays black in color longer. Slurry Sealing, when used in a timely manner can be very effective in reducing the need for later, more

expensive pavement repairs. The proposed contract provides for the sealing of approximately 116 miles throughout the City. Locations for Slurry Seal coating are chosen through the use of annual surveys, and the City's Pavement Management System, using the following criteria: age, oxidation, cracking, and amount of traffic carried. In an effort to coordinate with underground utility work, a final list of locations for this project will not be developed until just prior to the start of the contract. Construction is expected to begin in February of 2002, and will take approximately four months. The Mayor and Council will be provided with a final list of streets, and any subsequent changes as soon as they are available.

**FISCAL IMPACT:**

Funds for this project are available as follows; \$3,157,668 from Street Division Operating Fund 10440.

Loveland/Gonzalez/MMW

Aud. Cert. 2200592.

**ADOPTION AGENDA, HEARINGS**

**SPECIAL HEARING:**

ITEM-201: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: West of Wateridge Circle, East of Lusk Boulevard (APN 340-090-55) (Headquarters Point)

Agency Negotiator: Real Estate Assets Director

Negotiating Parties: City of San Diego and Life Science Point, LLC.

Under Negotiation: Potential disposition of the property

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on January 15, 2002.

**NOTE:** Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT